

Dudley Metropolitan Borough Council

Directorate of Children's Services

**Dudley Schools Forum - Constitution**

1. The Dudley Schools Forum is constituted by Dudley Metropolitan Borough Council under the Schools Forums (England) Regulations 2002 ("the Regulations"). The Constitution of the Dudley Schools Forum was originally decided by the former Lead Member for Education through a Decision Sheet following consultation on a draft Constitution. The Cabinet Member for Children's Services, with advice from the Director of Children's Services, will give consideration to amending the Constitution on request of the Schools Forum.

**Membership**

2. *The Schools Forum Regulations allow non school members to comprise up to one third of the schools forum membership.*
3. The membership of the Schools Forum totals 28 of which 22 are schools members and 6 are non-schools members.
4. Members will be appointed for a maximum period of three years. The revised Constitution will be effective from May 2009.
5. Whenever a vacancy occurs during the three year period under the terms of the Regulations, it will be filled as soon as possible, by election or nomination according to the type of representative, for a period running to the end of the three-year period then underway.

**Election Process for School Members**

6. Schools members are not subdivided by type of school (Community, Voluntary Controlled, Voluntary Aided, or Foundation), as this would be impracticable. With the exception of Special school representatives, Schools members are appointed by virtue of their connection, whether as Headteacher or Governor, with a school in one of the Dudley borough's five 'townships', and will represent that 'township' on the Forum. However, all schools members are expected to consider the needs of the education service of the whole Borough, including all types and phases of school, when discharging their duties.
7. School Members nominations are to be democratically elected from the constituent bodies via an annual election process, as referred to below, administered by the Council. The election process will be managed by the Director of Children's Services.

8. All currently serving headteachers/governors may vote in the election, which will be carried out by postal ballot.
9. *If there are no successful nominations then the vacancy will be held until the next opportunity to carry out the election process*
10. All primary school headteachers/governors will be eligible to vote for one candidate representing the township in which they are a headteacher or school governor.
11. All secondary school headteachers/governors will be eligible to vote for one candidate representing the township in which they are a headteacher or school governor.
12. All special school headteachers/governors will be eligible to vote for one special school headteacher or governor.
13. The successful candidates will be those in each township with a simple majority of votes if the seat is contested
14. The Director of Children's Services will act as Returning Officer.
15. Candidates should complete and return a nomination form by the return date indicated.
16. The nomination must be supported by a proposer and a seconder, both of whom must also be a currently serving Dudley school headteacher/governor.
17. *The nomination must include in no more than 100 words, a biographical submission from the candidate to support their application.*
18. *Unless the seat is contested, there will be no requirement to undertake a voting process.*
19. To be eligible to stand for election the headteacher must be a headteacher in one of the authority's schools and the governor must be a member of a governing body at one of the authority's schools.
20. In order to ensure a continuous rolling programme of School Forum members, the appointments will be staggered in the first instance. For example, in order to elect 5 primary governor and 5 primary headteacher representatives, 2 will be appointed for 3 years, 2 will be appointed for 2 years and 1 will be appointed for 1 year. Thereafter all appointments will be for a three year period. This staggering process will apply to primary and secondary headteacher and primary and secondary governor representatives. As there is only one special school headteacher and governor representative, it is proposed that these appointments are for the full three years immediately from 2009.
21. The selection process for term of office will be as follows:

All successful nominations (split Headteachers and Governors by sector) go into a "draw" to establish term of office. (Where a seat is contested a ballot takes place and the winner's name then goes into the "draw". Where someone stands unopposed their name goes straight into the "draw"). A witnessed draw then takes place for the term of office i.e. first two out elected for 3 years, next two elected for 2 years and the remaining one elected for 1 year.

### **Schools Members**

- One secondary school headteacher for each of the five townships,  
nominated by Secondary Headteachers 5
- One secondary school governor for each of the five townships,  
nominated by Dudley Governors 5
- One primary school headteacher for each of the five townships  
nominated by Primary Headteachers 5
- One primary school governor for each of the five townships,  
nominated by Dudley Governors 5
- One special school headteacher,  
nominated by special school headteachers 1
- One special school governor,  
nominated by Dudley Governors 1

### **Non-Schools Members**

- Representative of the recognised Unions and Professional Associations,  
nominated by the staff side of the Directorate Joint Consultative  
Committee 1
- Representative of the Children and Young People's Trust  
nominated by the Trust 1
- Representative of the Worcester Diocesan Board of Education,  
nominated by the Board 1
- Representative of the Catholic Schools Commission,  
nominated by the Commission 1
- Representative of the Early Years Provider Reference Group,  
Nominated by the Group 1

• Representative of the Dudley 14–19 Strategic Partnership, Nominated by the Partnership	1
▪ Total Schools Members	22
▪ Total Non-Schools Members	6
• <u>Total Membership</u>	28

22. The Director of Children's Services is not a member of the Forum but has attendance and speaking rights. The Director may, at his discretion, either delegate these rights, or extend them to relevant senior officers, in order to promote an active dialogue between the Forum and senior officers of Dudley Metropolitan Borough Council.

23. The Cabinet Member for Children's Services and the Chair of the Select Committee on Children's Services are not members of the Forum but have attendance and speaking rights in order to promote an active dialogue between the Forum and key members of Dudley Metropolitan Borough Council.

24. The Learning and Skills Council for England shall be entitled to nominate an observer with speaking rights who shall be entitled to attend all meetings of the forum.

### **Purpose**

25. *The purpose of Schools Forum is to advise the local authority on the operation of the local Schools Budget, and its distribution among schools and other bodies. The powers and responsibilities are outlined in Appendix A.*

26. The Forum statutory functions:

- a) To be consulted by the Council on changes to the LMS Formula made in accordance with Regulations made under Section 47 of the School Standards and Framework Act 1998, and in particular to any proposed changes in relation to the factors and criteria that taken into account, or the methods, principles and rules adopted, in the Local Management of Schools (LMS) Funding Formula, and the financial effect of any such change.
- b) To be consulted by the Council on issues related to the management of the Schools Budget, and in particular: -
  1. the arrangements to be made for the education of pupils with special educational needs;

2. arrangements for the use of pupil referral units and the education of children otherwise than at school;
3. arrangements for early years education;
4. arrangements for insurance;
5. prospective revisions to the Council's LMS Scheme;
6. administrative arrangements for the allocation of central government grants paid to schools via the Council;
7. arrangements for free school meals.

*The local authority may consult the Forum on such other matters concerning the funding of schools as they see fit.*

*The Forum shall inform the governing bodies of schools maintained in the authority of all consultations carried out under these Regulations.*

c) Consultation on contracts

To be consulted by the Council in relation to the issue of invitations to tender on the terms of any proposed contract for supplies or services being a contract paid out of the relevant authority's schools budget where either

1. the estimated value of the proposed public services contract is not less than the specific threshold which applies to the relevant authority in pursuance of Regulation 7(1) of the Public Services Contracts Regulations 1993; or
2. the estimated value of the proposed public supply contract is not less than the specific threshold which applies to the relevant authority in pursuance of Regulation 7(2) of the Public Supply Contracts Regulations 1995.

The Council may consult the forum on such matters concerning the funding of schools as they see fit.

### **Meetings**

27. The Forum will elect a Chair and a Vice-Chair from among its membership at the first meeting after 1st April each year.
28. The quorum for meetings of the Forum will be 13 members (44%).

29. The Forum will normally meet on six occasions each year; in *May, July, October, December, February and March*. The dates of the meetings for the forthcoming year will be decided by the Forum at the first meeting in the municipal year.
30. The Forum may call further meetings on a majority vote or at the discretion of the Chair.
31. Meetings of the Forum will normally take place at 1800.
32. The Forum will normally meet in private but may decide on a majority vote to meet in public, or to invite contributions or an audience as determined by the Forum.
33. All Forum papers will be published on appropriate electronic systems and be available for inspection at the Council House. Agenda papers will be published at least seven working days in advance of meetings.
34. Secretarial support to the Forum will be provided by an officer from Democratic Services in the Directorate of Law and Property.
35. Any Forum member may nominate a substitute to attend a meeting if he or she is unable to do so *provided the substitute is from the same section of membership and the same phase of education as the member substituted*. Members wishing to nominate a substitute to attend a meeting on their behalf should do so by contacting the Secretary in advance of the meeting.
36. All costs regarding the organisation of meetings, including the hire of venues and the cost of refreshments shall be met by the Directorate of Children's Services.
37. *A member appointment will be terminated by disqualification if he or she fails to attend meetings of the Forum for six months without having apologies for absence accepted by the Forum.*

### **Work Programme**

38. The Director of Children's Services will produce a suggested work programme for the forthcoming year at the first meeting in each municipal year. The Forum may accept, modify, or extend the proposed work programme, or adopt its own work programme.
39. Work proposed by the Forum outside of the Director's proposals will be undertaken provided that resources can be identified to carry out the work.

## **Resources**

40. The Forum will be resourced from the Schools Budget as a non-delegated item.
41. The Director will produce for the second meeting in each municipal year an account for the Forum of the costs of the statutory and discretionary activities of the Forum in the year to 31st March previously.
42. *The DCSF issued the Schools Forum Best Practice Guidance in December 2005. This is available on TecherNet:*  
[www.teachernet.gov.uk/schoolsforums/](http://www.teachernet.gov.uk/schoolsforums/).
43. Legitimate costs are limited to:
- the costs of arranging and servicing meetings of the Forum;
  - the costs of arranging elections and nominations for the Forum;
  - the costs of room hire; and
  - the actual costs of research and development activity commissioned by or agreed by the Forum.

Jane Porter  
Interim Director of Children's Services  
18 May 2009